

Message Text

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MILITARY ADDRESSEES HANDLE AS SPECAT EXCLUSIVE

USEEC

E.O. 11652: GDS
TAGS: PFOR, NATO, EC
SUBJECT: NATO STANDARDIZATION AND THE EC

1. WHILE WE DO NOT WISH TO EXAGGERATE THE SERIOUSNESS OF THE SITUATION, WE BELIEVE THE EC COMMISSION DECISION LIMITING MEMBER STATE FREEDOM IN EXEMPTING IMPORTED DEFENSE EQUIPMENT FROM CUSTOMS DUTIES CAN HAVE A DETRIMENTAL IMPACT ON EFFORTS INCLUDING THOSE LAUNCHED BY THE PRESIDENT AT THE LONDON SUMMIT TO IMPROVE NATO SECURITY AND DETERRENCE THROUGH INCREASED STANDARDIZATION OR INTEROPERABILITY OF DEFENSE EQUIPMENT. MOREOVER, THE COMMISSION'S EFFORTS TO RAISE BARRIERS TO FREER MOVEMENT ALONG THE "TWO-WAY STREET" APPEARS TO US TO RUN COUNTER TO EC MEMBER STATES' OWN ECONOMIC SELF-INTEREST IN EXPANDING SUCH MOVEMENT.

2. THE US, AS PART OF ITS EFFORT TO STRENGTHEN ALLIED
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DETERRENCE AND COHESION HAS OFFERED TO DEVELOP MEMORANDA OF UNDERSTANDING WITH NATO ALLIES UNDER WHICH THE PARTIES AGREE RECIPROCALLY TO REMOVE SUCH IMPEDIMENTS TO THE "TWO-WAY STREET" AS BI-NATIONAL LEGISLATION, DISCRIMINATORY REGULATIONS AND PROCEDURES AND CUSTOMS DUTIES. SUCH AN ARRANGEMENT HAS EXISTED WITH THE UNITED KINGDOM SINCE 1975 (AND WITH CANADA SINCE THE EARLY 1960'S). WE ARE

IN THE PROCESS OF NEGOTIATING SIMILAR ARRANGEMENTS WITH OTHER EC MEMBERS, GERMANY, ITALY AND FRANCE. WHILE THE MOU'S ARE NOT A PANACEA FOR CURING ALL THE ALLIANCE PROBLEMS IN THE STANDARDIZATION AND INTEROPERABILITY AREA THEY ARE BOTH IMPORTANT EXAMPLES OF OUR WILLINGNESS TO MEET THE ALLIES HALF WAY AND AN ESSENTIAL INGREDIENT IN THE DEVELOPMENT OF A SOLID FOUNDATION FOR INCREASED NATO STANDARDIZATION AND INTEROPERABILITY.

3. THE MOU'S HAVE JURIDICAL SANCTION VIA THE NUNN AMENDMENT TO THE DEFENSE APPROPRIATION ACT AND ARE THUS ROOTED IN A SOLID CONGRESSIONAL MANDATE. THE EC COMMISSION'S DECISION WOULD APPEAR TO SEVERELY RESTRICT THE EC MEMBER STATES' ABILITY TO JOIN WITH US ON A RECIPROCAL BASIS, IN ELIMINATING AN IMPEDIMENT TO THE "TWO-WAY STREET." WHILE CUSTOMS DUTIES ARE CERTAINLY NOT THE MOST IMPORTANT IMPEDIMENT, THE EC'S ACTION COULD HAVE A NEGATIVE SYMBOLIC IMPACT. MOREOVER, THE EC ACTION COULD LEAD CONGRESSIONAL SUPPORTERS OF NATO STANDARDIZATION/INTEROPERABILITY TO QUESTION WHETHER THE EUROPEANS WERE PREPARED TO RECIPROCATATE AND PERHAPS TO WITHDRAW OR LESSEN THIS VITAL ELEMENT OF SUPPORT FOR THE INITIATIVE. IN ADDITION, IMPOSITION OF TARIFFS COULD AFFECT NON-EC PARTICIPATION IN IEPG.

4. WE BELIEVE THAT CONCRETE EFFORTS TO REVERSE THE COMMISSION'S DECISION WOULD BEST COME FROM THE EC MEMBER STATES. MOST IMPORTANTLY, WE SHOULD AVOID FORCING THE COMMISSION INTO A CORNER ON THIS ISSUE BY

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TURNING IT INTO A US/EC CONFRONTATION. IN OUR VIEW THE OPTIMUM OUTCOME WOULD BE FOR THE COMMISSION TO BACK DOWN GRACEFULLY BASED ON SEEING ITS DECISION IN A BROADER CONTEXT.

5. THUS WHILE WE BELIEVE THE US SHOULD NOT GET BETWEEN THE COMMISSION AND THE NINE ON THIS ISSUE WE DO SEE VALUE IN DISCREET, INFORMAL AND SELECTIVE MISSIONARY WORK WITH SENIOR COMMISSION OFFICIALS BY US OFFICIALS WHO ARE FAMILIAR WITH OUR EFFORTS TO STRENGTHEN THE "TWO-WAY STREET." THIS COULD BE DONE IN A MANNER WHICH WOULD BE DESIGNED TO PROVIDE INFORMATION BUT NOT TO PLEAD A PARTICULAR CASE.

6. WITHIN NATO, WE BELIEVE WE SHOULD LEAVE OUR ALLIES IN NO DOUBT ABOUT OUR CONCERN FOR THE POSSIBLE DETRIMENTAL IMPACT THE COMMISSION DECISION WILL HAVE ON PUBLIC AND CONGRESSIONAL SUPPORT OF THE NATO STANDARDIZATION EFFORT (AND THE RIPPLE EFFECT ON OTHER IMPORTANT ELEMENTS OF THE NATO INITIATIVES), CO-PRODUCTION EFFORTS, AND THE "TWO-WAY STREET." AS A MINIMUM, WE CONTINUE TO BELIEVE AN EXPRESSION OF THAT CONCERN AT A NATO PERMREPS LUNCHEON

OR PERHAPS PREFERABLY IN BILATERAL CORRIDOR DISCUSSIONS
WOULD HELP STRENGTHEN THE RESOLVE OF ALLIES ALSO EC
MEMBERS TO OVERTURN OR ANNUL THE EC COMMISSION DECISION.
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